

Boosting the NHS Constitution

Ministers aim to strengthen the NHS Constitution and raise awareness about its purpose, writes **Joe Lepper**

The launch of the NHS Constitution in 2009 was heralded as 'a momentous point in the history of the NHS' by then health secretary Alan Johnson.

Its creation (a key recommendation of Lord Darzi's review of the NHS, the previous year), represented a way of setting out clearly the NHS principles alongside patients' rights. However, three years on, awareness of constitution, which applies to all providers of NHS services, remains limited.

A recent DH-commissioned survey found just 27 per cent of British people are aware of the constitution, only five per cent more than in 2009. Less than half (45 per cent) of NHS staff are aware of it, although this figure is 14 per cent higher than in 2009.

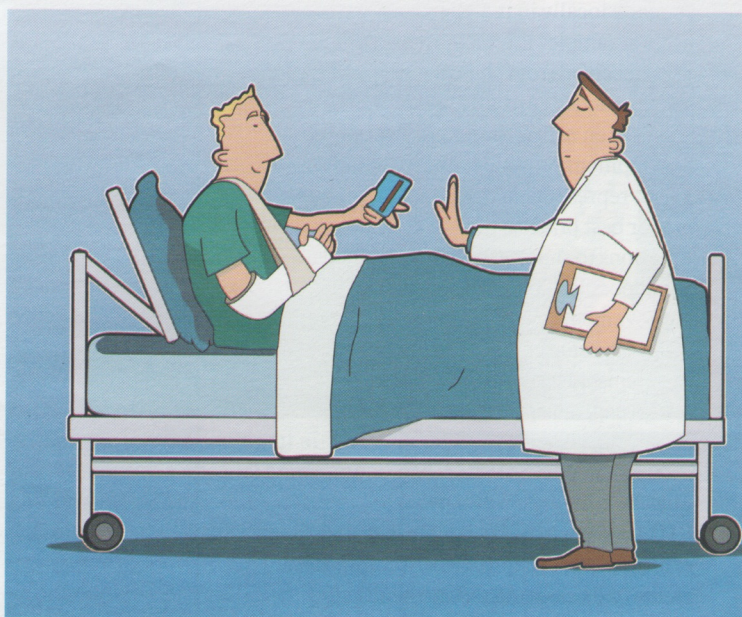
Poor communication

A lack of 'direct public-facing communications on the subject' has been a key factor in the lack public awareness, whereas health professionals have benefitted from promotion in staff meetings and the specialist medical media.

Primary care staff are comparatively well informed about the constitution. The survey found 78 per cent of GPs and 63 per cent of primary care nurses were aware of it compared to just 58 per cent of hospital nurses.

However, few health professionals or members of the public are actually using it to uphold rights or responsibilities. Just a fifth of staff surveyed said they had referred to it in the last 12 months. When they did it was more likely to be in discussions with colleagues than patients.

As part of a three-yearly review the government has commissioned an independent group to look at ways of strengthening the NHS Constitution and ensure it is more widely used by staff and patients.



Access to the NHS should be based on clinical need, not ability to pay

Their findings will be presented to health secretary Jeremy Hunt later this year, with a consultation on proposed changes next year.

One early finding is concern over the lack of focus on patients supporting the NHS by taking a greater responsibility for their own health.

RCN Advanced Nurse Practitioner (ANP) forum chair Jenny Aston says: 'One of the key points in the NHS Constitution is about providing value for money but there is no mention of the lifestyle

changes patients can make to achieve that. As it stands the constitution as more about what the NHS can do for patients, not what patients can do for the NHS.'

Treating staff with dignity

A stronger focus on patients treating staff with dignity and respect could potentially be added to the constitution. RCN head of policy Howard Catton, a member of the review group, says: 'There is strong evidence that if staff are treated

with dignity respect, patient care will also improve.'

However, it should also be clearer how patients can use the constitution to seek redress, argues Professor Steve Field, who is leading the independent NHS Constitution review group. He stresses the document has teeth as every right and principle mentioned is backed by legislation and 'makes clear what patients have a legal right to receive' but adds, 'perhaps, more can be done to show they how they seek redress if that doesn't happen.'

Mr Catton agrees patients' 'right to redress' needs to be clarified.

'But we do not want to turn it into a lawyers' charter,' he warns. 'One example could be to show a patient how they can inform a commissioner if they are not happy with the standard of care from an NHS provider. That could be far more effective in improving the quality of care than involving lawyers.'

Meanwhile, other suggested improvements include making the NHS Constitution (available online as a 17 page document), more user friendly. As Queen's Nursing Institute acting director Anne Pearson explains: 'Nurses simply do not have time to sit down and read a lengthy document.'

Mr Catton suggests focusing on key principals and making it available in a number of formats, including posters in GP surgeries.

Unless ministers take proposed changes seriously, interest in the NHS Constitution could ebb away, the DoH survey suggests. Just 42 per cent of NHS staff surveyed believe it has long-term value, 9 per cent fewer than in 2009.

The NHS Constitution

- The NHS provides a comprehensive service, available to all.
- Access to NHS services is based on clinical need, not ability to pay.
- The NHS aspires to the highest standards of excellence and professionalism.
- NHS services must reflect the needs and preferences of patients and their families and carers.
- The NHS works across organisational boundaries and in partnership with other organisations in the interest of patients, local communities and the wider population.
- The NHS is committed to providing best value for taxpayers' money and effective, sustainable, fair use of finite resources.
- The NHS is accountable to the public, communities and patients.

Source: DH

Resources

- **NHS Constitution** www.nhs.uk/chooseintheNHS/Rightsandpledges/NHSConstitution/Documents
- **nhs-constitution-interactive-version-march-2012.pdf**